

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

BAKER HUGHES INCORPORATED, and  
BAKER PETROLITE CORPORATION

Plaintiffs,

v.

NALCO COMPANY,

Defendant.

Case No. 4:09-cv-01885

Hon. Kenneth Hoyt  
Presiding Judge

**NOTICE OF APPEAL**

Notice is hereby given that Defendant Nalco Company hereby appeals to the United States Court of Appeals for the Federal Circuit from the Memorandum Opinion and Order entered in this action on the 11th day of September, 2009, Dkt. No. 35, attached hereto as Exhibit A.

Dated: September 15, 2009

Respectfully submitted,

/s/ Jason A. Engel

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**ATTORNEYS FOR DEFENDANT AND  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record electronically pursuant to the Federal Rules of Civil Procedure on the 15th day of September, 2009.

/s/ Jason A. Engel

Jason A. Engel